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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,804	02/25/2005	Johannes Petrus Maria Van Lammeren	NL02 0783 US	1168

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NXP, B.V.
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EXAMINER

AJIBADE AKONAI, OLUMIDE

ART UNIT	PAPER NUMBER
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2617

NOTIFICATION DATE	DELIVERY MODE
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11/20/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

Office Action Summary

Application No.

10/525,804

Applicant(s)

VAN LAMMEREN ET AL.

Examiner

Olumide T. Ajibade-Akonai

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 3-~~9~~, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION


1. In view of the appeal brief filed on 24 September 2007, PROSECUTION IS HEREBY REOPENED. New grounds of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


Rafael Perez-Gutierrez
Supervisory Patent Examiner
Technology Center 2600
Art Unit 2617
11/13/07

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention. Claim 11 recites the limitation "the write-protected memory" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by **Vicard EP 0743603 A1**.

Regarding **claim 1**, Vicard discloses a circuit module (integrated circuit device 10, see fig. 1, col. 5, line 36) comprising a first (comparison block 27 and functional block 12, see figs. 1 and 2, col. 5, lines 45-50, col. 6, lines 43-46, col. 7, lines 34-56) and second sub-circuit (register 25, see figs. 1 and 2, col. 6, lines 23-25, col. 7, lines 36) and a communication link coupled between the first and the second sub-circuit (see fig. 2, col. 7, lines 22-33), the sub-circuits being arranged to communicate signals via the communication link during operation (providing designated signatures stored in register 25 to comparator 27, see figs. 1 and 2, col. 6, lines 36-44, col. 7, lines 22-33); the sub-circuit comprising a version number memory (register 25, see figs. 1 and 2, col. 6, lines 23-25, col. 7, lines 36) for storing a version number (signatures, see figs. 1 and 2, col. 7, lines 22-26), the sub-circuit providing a performance dependent on the version number that is stored in the version number memory (see fig. 2, col. 7, lines 34-59, col. 8, lines

1-14); the second sub-circuit comprising a write-protected memory (register 25, see figs. 1 and 2, col. 6, lines 23-25) and a version number control circuit arranged to send update values for the version number memory from the write-protected memory via the communication connection (sending enable signals from comparison block 27 to functional blocks 12A-12E depending on the signature sent from the register 25 to the comparison block 27, see figs. 1 and 2, col. 7, lines 34-59, col. 8, lines 1-14).

Regarding **claim 12**, Vicard discloses a method of controlling operation of a circuit module, the method comprising providing a performance level of a first sub-circuit (sending enable signals from comparison block 27 to functional blocks 12A-12E depending on the signature sent from the register 25 to the comparison block 27, see figs. 1 and 2, col. 7, lines 34-59, col. 8, lines 1-14) dependent on the version number (signatures, see figs. 1 and 2, col. 7, lines 22-26) that is stored in a version number memory (register 25, see figs. 1 and 2, col. 6, lines 23-25); passing a version number from a write-protected memory from a second sub-circuit of the circuit module to the version memory multiplexed with normal operating signals for the first sub-circuit (providing designated signatures stored in register 25 to comparator 27, see figs. 1 and 2, col. 6, lines 36-44, col. 7, lines 22-33).

Regarding **claim 13**, as applied to claim 12, Vicard discloses a method of controlling operation of a circuit module according to claim 12, the method comprising: receiving commands for the circuit module and distributing the commands to the first sub-circuit via a communication bus (providing designated signatures stored in register 25 to comparator 27, see figs. 1 and 2, col. 6, lines 36-44, col. 7, lines 22-33);

monitoring received commands for an update command that commands updating of the version number in the version number memory and if so to pass said update command to the communication bus, replacing a version number in the update command by a version number from the write-protected memory (see fig. 1, col. 6, lines 56-59, col. 7, lines 1-9).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Vicard EP 0743603 A1** in view of **Yamane et al EP 1,227,385 A2 (hereinafter Yamane)**.

Regarding **claim 2**, as applied to claim 1, Vicard discloses the claimed invention except wherein the circuit module is a multi-component module, comprising a package that contains the first sub-circuit in a first integrated circuit and the second sub-circuit in a second integrated circuit.

In an analogous art, Yamane discloses wherein the circuit module is a multi-component module, comprising a package that contains the first sub-circuit in a first integrated circuit and the second sub-circuit in a second integrated circuit (see fig. 1, col. 3-4, [0029], col. 4, lines [0030]). It would therefore have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Yamane, by having multiple functional blocks, into the system of Vicard for the benefit of providing an integrated circuit with enhanced versatility.

Allowable Subject Matter

7. Claims 3-9, 14 and 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 10 is allowed.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frank et al 6,738,934 discloses an on-chip watchdog circuit.

Nitschke et al 20020124212 discloses a watchdog circuit.

Bersch et al 7,024,654 discloses a system and method for configuring analog elements in a configurable hardware device.

Morelli et al 6,438,737 discloses reconfigurable logic for a computer.

Carlson 7,082,591 discloses a method for effectively embedding various integrated circuits within field programmable gate arrays.

Blemel 6,938,1787 discloses a multi-chip module smart controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olumide T. Ajibade-Akonai whose telephone number is 571-272-6496. The examiner can normally be reached on M-F, 8.30p-5p.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on 571-272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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11/13/07